

REMARKS

No claims have been amended. Claims 77-83 are cancelled. Accordingly, claims 62-69, and 76 are currently pending.

RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT

In the Notice of Non-Responsive Amendment mailed June 2, 2005, the Examiner indicated that the amendment document filed on November 15, 2004 and March 11, 2005 are not fully responsive to the prior Office Action because "[a]t least claim 77 does not read on the elected species II, subspecies I because this claim is identical claim 63 as stated by applicant, which is drawn to non-elected Species I."

In the interests of furthering prosecution of this application, Applicant hereby cancels claims 77-83, without prejudice. Applicant believes that the cancellation of claims 77-83 overcomes the non-compliance asserted with respect to the previously filed amendment document.

RESTATED RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed July 13, 2004, Applicant confirms its previous election, without traverse, of species II (claims 62, 65-69, and 76) and further elects sub-species I (claim 65). Applicant believes that claims 62, 65-69, and 76-83 are readable upon the elected species, and that claims 62, 65, 67, and 76 are readable upon the elected sub-species.

This election is made without traverse. However, Applicant respectfully requests that the Examiner voluntarily reconsider the decision to divide the application into species I (claims 63-64) and II (claims 62, 65-69, and 76), and further into sub-species I-IV (claims 65, 66, 68, 69, respectively), as indicated in the Restriction Requirement. It is Applicant's belief that examination of all of these claims may not present an undue burden on the Examiner to search and examine a large number of species. Accordingly, Applicant respectfully requests reconsideration of the Restriction Requirement, and examination of claims 62-69 and 76 in conjunction with the present application.

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Serial Number: 09/866,938

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Title: ULTRA HIGH DENSITY FLASH MEMORY

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CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney, Sherry Schumm, at (480) 538-1735 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

WENDELL P. NOBLE JR. ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

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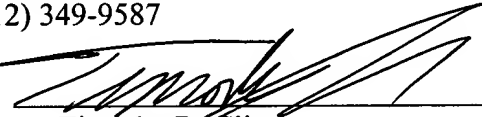
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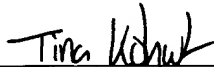
5 July '05

By


Timothy B. Clise
Reg. No. 40,957

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5 day of June, 2005.

Name



Signature

